

1 REMARKS

2  
3 GENERALLY

4  
5 A current and Non-final Office Action is dated 07/28/2006. In this current  
6 Office Action, claims 38-71 were examined, and claims 38-71 were rejected.

7  
8 With this current Reply, no claims are canceled or added. Hence, claims  
9 38-71 continue to be presented for examination.

10  
11  
12  
13 SUMMARY OF THE CURRENT OFFICE ACTION

14  
15 Generally, the current Office Action objected to claims 54 and 71; rejected  
16 claims 38-69 under 35 U.S.C. §101; rejected claims 38-71 under 35 U.S.C. §112;  
17 and rejected claims 38-71 under 35 U.S.C. §103(a).

18  
19 Specifically, the current Office Action reads as follows (in pertinent parts):

20 2. Claims 38-69 are rejected under 35 U.S.C. 101 because the claimed  
21 invention is directed to non-statutory subject matter because "medium", i.e.  
22 claims 38 and 54, is defined in the specification as including intangible  
23 media such as data signal, carrier wave, etc. The applicant has just claimed the  
24 signal and carrier wave for the computer readable medium. An appropriate  
25 correction is required. Other claims are also rejected because of their  
dependency.

1 4. Claims 38-71 are rejected under 35 U.S.C. 112, second paragraph, as  
2 being indefinite for failing to particularly point out and distinctly claim the  
3 subject matter which applicant regards as the invention.

4 For example, independent claims 38, 54, 70, and 71 show that the  
5 performing the function is not a positive limitation by each node "capable of"  
6 making one or more resources to perform the function (the phrase "capable of"  
7 can be found in other claims) which can be interpreted as whether the function  
8 can be performed as claimed or not. Other claims are also rejected because of  
9 their dependency.

10 5. Claims 54 and 71 are objected to under 37 CFR 1.75 as being a  
11 substantial duplicate of claims 38 and 70. When two claims in an application are  
12 duplicates or else are so close in content that they both cover the same thing,  
13 despite a slight difference in wording, it is proper after allowing one claim to  
14 object to the other as being a substantial duplicate of the allowed claim. See  
15 MPEP § 706.03(k).

16 7. Claims 38-45, and 51-71 are rejected under 35 U.S.C. 103(a) as being  
17 unpatentable over Nolan (Nolan, U.S. Patent No. 5,933,599) in view of Alimpich  
18 et al. (Alimpich, U.S. Patent No. 6,281,896 B1).

19 8. Claims 46-50 are rejected under 35 U.S.C. 103(a) as being  
20 unpatentable over Nolan (U.S. Patent No. 5,933,599) in view of Alimpich et al.  
21 (U.S. Patent No. 6,281,896 B1), and further in view of Mikkonen (U.S. Patent  
22 No. 6,885,633 B1).  
23  
24  
25

1 RESPONSE TO DOUBLE PATENTING OBJECTIONS UNDER 37 CFR 1.75

2  
3 It is respectfully submitted that claims 54 and 71 are not “substantial  
4 duplicate[s]” of claims 38 and 70.

5 Claims 54 and 71 recite **displaying in a third pane a plurality of member**  
6 **representations**. In contrast, claims 38 and 70 recite **displaying in a third pane a**  
7 **plurality of computer representations**.

8 The original written description of the instant Patent Application discloses  
9 the differences between a “member” and a “computer”. For example, from page 2  
10 and the second paragraph of page 11 of the instant Patent Application, it is evident  
11 that “member” is a person, including but not limited to individuals, test engineers,  
12 employees, and so forth. In contrast, “computer” is an actual physical apparatus,  
13 as is evidenced by, e.g., the first full paragraph on page 10 of the instant Patent  
14 Application.

15 Consequently, claims 54 and 71 are not “substantial duplicate[s]” of claims  
16 38 and 70. Accordingly, it is respectfully requested that the objections of claims  
17 54 and 71 (and/or 38 and 70) under 37 CFR 1.75 be withdrawn.  
18  
19  
20

21 RESPONSE TO REJECTIONS UNDER 35 U.S.C. §101

22  
23 It is respectfully submitted that claims 38-69 were previously directed to  
24 statutory subject matter under 35 U.S.C. 101. Nevertheless, to facilitate the  
25

1 allowance of the instant Patent Application and to expedite its ultimate issuance as  
2 U.S. Patent, claims 38-69 have been amended to recite --storage medium--.

3 Accordingly, it is respectfully requested that the rejections of claims 38-69  
4 under 35 U.S.C. 101 be withdrawn.

5  
6  
7  
8 RESPONSE TO REJECTIONS UNDER 35 U.S.C. §112

9  
10 It is respectfully submitted that claims 38-71 were previously definite and  
11 previously fully comported with 35 U.S.C. 112, second paragraph. Nevertheless,  
12 to facilitate the allowance of the instant Patent Application and to expedite its  
13 ultimate issuance as U.S. Patent, independent claims 38, 54, 70, and 71 have been  
14 amended by replacing "capable of" with --adapted to make, upon selection,--.

15 Accordingly, it is respectfully requested that the rejections of claims 38-71  
16 under 35 U.S.C. 112, second paragraph, be withdrawn.  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 RESPONSE TO REJECTIONS UNDER 35 U.S.C. §103(a)

2  
3 Of pending claims 38-71, four claims are independent: claims 38, 54, 70,  
4 and 71.

5  
6 It is respectfully submitted that none of the art of record anticipates or  
7 renders obvious four different panes having the elements and attributes as recited  
8 in claims 38, 54, 70, and 71.

9  
10 A. Nolan (US 5,933,599) illustrates three panes in FIG. 23.

11  
12 FIG. 23 of Nolan includes three total panes. There are two panes 402 and  
13 404 in window 400 and one pane for window 2300. (The reference number for  
14 pane 404 appears to have been inadvertently omitted from FIG. 23.) Nolan reads  
15 at Column 25, Lines 24-36 as follows:

16 Referring now to FIG. 23, the user interface associated with the creation  
17 of a shortcut is shown. FIG. 23 contains the two-pane window 400 created by the  
18 Win 95 Explorer and a second window 2300 which displays the contents of a  
19 user's local file system. The hierarchy map in the left pane 402 shows that the  
20 user is in the gardening folder node 204j. The right pane 404 shows the contents  
21 of the gardening folder node 204j which contains the gardening bulletin board  
22 204c. The second window 2300 shows the contents of a folder in the user's local  
23 file system. The contents include a documents folder, a letters folder a document  
24 named notes.doc and a shortcut 2302 to the gardening bulletin board 204c.

25 B. Alimpich et al. (US 6,281,896) illustrates three panes in Figs. 2-6.

1 Figs. 2-6 of Alimpich et al. includes three total panes. These three total  
2 panes are region 50, region 51, and region 54. Alimpich et al. reads at Column 4,  
3 Lines 58-65 and at Column 5, Lines 18-27 as follows:

4 The display screen of FIG. 2 shows a first portion of a hierarchical tree  
5 52 in region 50 which represents a hierarchy of available printers involved in the  
6 printer production operations being controlled. Also shown is a second tree  
7 portion 53 in screen region 51 which is a list of retained jobs awaiting  
8 assignment to printers or other disposal. It should be noted that the objects in  
9 tree portions 52 and 53 may be parts of the same overall tree.

10 [...]

11 In order for the user controlling the printing operation to assign jobs to  
12 printers, he may need further information: expanded views giving details of the  
13 jobs in tree portion 53 and the printers in tree portion 52. Region 54 in the screen  
14 of FIG. 2 is provided for such expanded views. Assume that he first wishes  
15 available printer details, as shown in FIG. 3, he selects Printer object 59 which  
16 becomes highlighted, and he gets the expanded or detail view 56 of all of  
17 Printer1 through Printer4 which may be considered the child objects of Printer  
18 object 59.

19 C. It is respectfully submitted that the current Office Action does not  
20 adequately explain how either one or both of documents Nolan and Alimpich et al.  
21 describe or suggest four interrelated panes as recited in claims 38, 54, 70, and 71.

22 The current Office Action reads in the first paragraph on page 5 as follows:

23 displaying in a third pane a plurality of computer representations, each  
24 respective computer representation of the plurality of computer representations  
25 corresponding to a respective computer that can be used to contribute to the  
collaboration (Nolan *inherently teaches the feature* because (if) the Computers  
and Software directory/folder/link from the first pane 402 is selected, then the  
second pane 204c would absolutely contain a list of computers/users or software

1 available under that directory, and then if the user selects/clicks on an individual  
2 computer or software listing in the second pane 204c, *the third pane will show*  
3 *performance tasks or other information regarding that computer in another*  
4 *pane/window (fourth pane)*); and  
5 (italicized emphasis added)

6 This rejection asserts a number of hypothetical issues for the alleged  
7 inherency to exist in Nolan. Even assuming, *arguendo*:

8 (i) that selection of “Computers and Software” from first pane 402  
9 “absolutely” produces “a list of computers/users or software available under that  
10 directory” in a second pane 404 (not correctly numbered in FIG. 23; see  
11 corresponding text);

12 (ii) that selecting “an individual computer or software listing in the  
13 second pane [404]” produces a third pane; and

14 (iii) that “the third pane will show performance tasks or other  
15 information regarding that computer in another pane/window”,

16 there is no creation, production, presentation, or appearance of a **fourth**  
17 **pane**, especially one that includes the recited elements of the fourth pane and/or  
18 **the claimed interrelationships between and among the four claimed panes**. The  
19 “performance tasks or other information regarding that computer” would be shown  
20 in the third pane of window 2300.

21 The rejection as reproduced above includes a parenthetical assertion as to  
22 the existence of a “(fourth pane)”. There does not appear to be any supporting  
23 citation for the existence of such a fourth pane.  
24  
25

1 Because independent claims 38, 54, 70, and 71 each include first, second,  
2 third, and fourth panes, it is respectfully submitted that neither Nolan nor Alimpich  
3 et al., either alone or in any combination, are capable of anticipating or rendering  
4 obvious these claims.

5 Moreover, each of independent claims 38, 54, 70, and 71 now additionally  
6 includes the following element(s) that further differentiate the claimed invention  
7 from any and all art of record: **adding a task to the multiple tasks of the work**  
8 **queue when a link of the one or more links from the second pane is dropped**  
9 **at the fourth pane.**

10 Accordingly, it is respectfully requested that the rejections of claims 38, 54,  
11 70, and 71 under 35 U.S.C. 103(a) be withdrawn.

12  
13  
14 Reasons for the allowability of independent claims 38 and 54 have been  
15 provided above. They have respective dependent claims 39-53 and 55-69 that  
16 depend directly or indirectly from them. Although each also includes additional  
17 element(s) militating toward allowability, these dependent claims are allowable at  
18 least for the reasons given above in connection with their respective independent  
19 claims.



1  
2  
3 CONCLUSION  
4

5 It is respectfully submitted that all pending claims 38-71 are allowable. It is  
6 therefore respectfully requested that the Office pass the instant Patent Application  
7 to issue with all due haste.  
8

9 Respectfully Submitted,  
10

11 Date: 11/28/2006  
12

13 By: Keith W. Saunders  
14 Keith W. Saunders  
15 Reg. No. 41,462  
16 (509) 324-9256 x238  
17  
18  
19  
20  
21  
22  
23  
24  
25